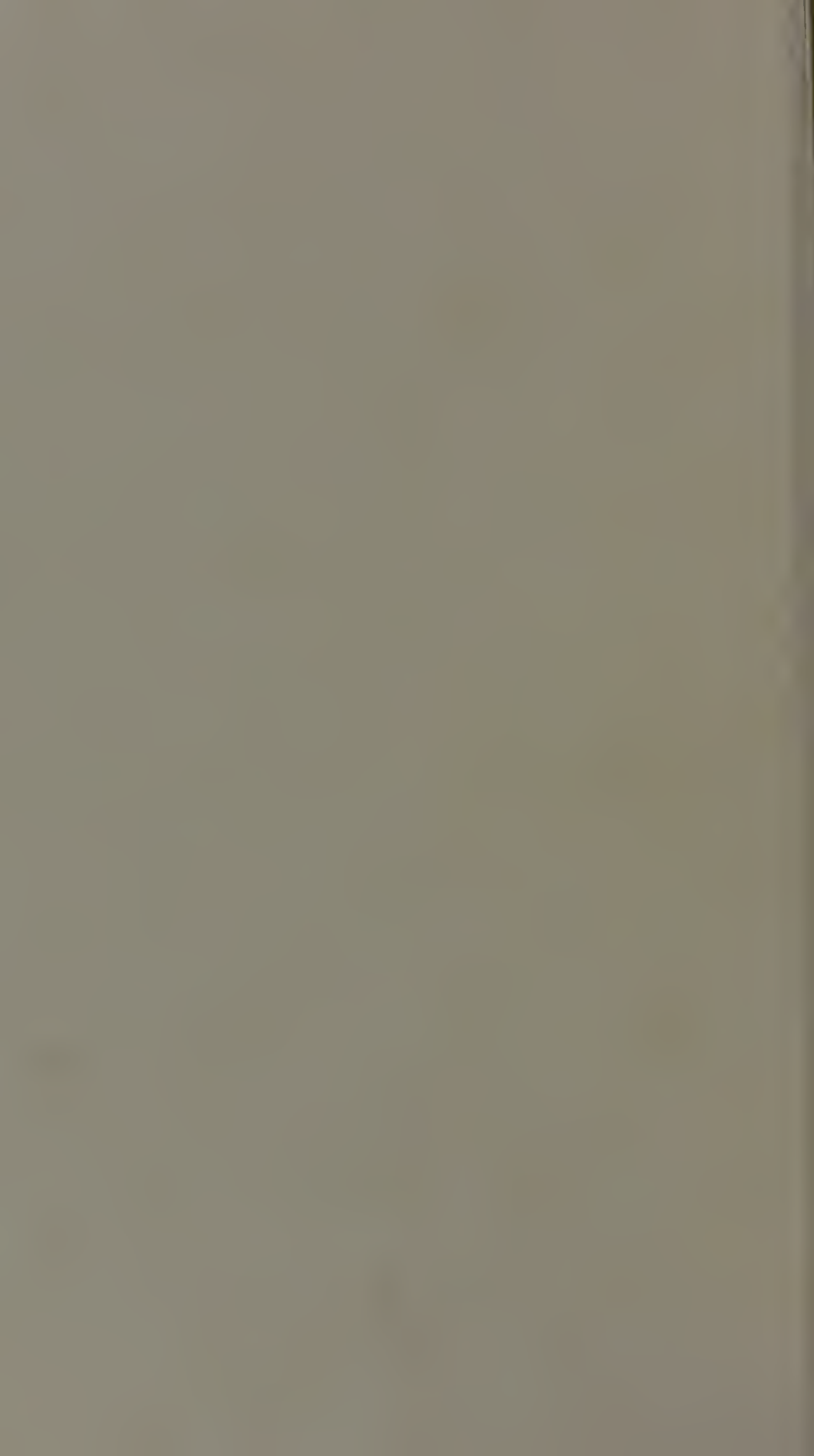




A LETTER

ADDRESSED TO

HENRY WARBURTON, ESQ. M.P.

&c &c. &c.

CHAIRMAN OF THE COMMITTEE OF ENQUIRY INTO THE STATE OF
THE EDUCATION AND PRACTICE OF THE MEDICAL
PROFESSION, &c. &c.

ON THE GRIEVANCES

AFFECTING THE MEDICAL PROFESSION.

BY A JUNIOR PRACTITIONER.

“ It is astonishing, it is painful, to see men of parts and ability giving in to the most unworthy artifices, and descending so much below their true line of character. But, if they are not the dupes of their sophistry, (which is hardly to be conceived,) let them consider that they are something much worse.”—JUNIUS.

LONDON :

PUBLISHED BY JOHN CHURCHILL,

Medical Bookseller and Publisher,

16, PRINCES STREET, SOHO.

1834.

LONDON:

IBOISON AND PALMER, PRINTERS, SAVOY STREET, STRAND.

A LETTER &c.

SIR,

THE intense anxiety which pervades the medical profession, as to the proceedings of the committee of the House of Commons, on medical education, &c. has encouraged me, although a stranger to you, to offer such a brief summary of the grievances affecting the state of the profession, as may, in my humble opinion, assist your investigations to discover the remedies best calculated for their removal.

No class of the community had greater cause for satisfaction on the accomplishment of the great measure of parliamentary reform, than the members of the medical profession; since they could not fail to perceive that an administration supported by an independent representation, would no longer refuse to inquire into the many grievances, of which they had so long, and so justly complained. These complaints do not

emanate from any particular class or grade, neither is it sought to establish any peculiar privilege; but result from that universal spirit of liberality and intelligence, which can no longer give its support to institutions unsuited to the advanced state of society, or withhold its disapprobation of the system, by which they have been made subservient to party interests and corporate monopoly.

If monopolies in trade be injurious, how mischievous must they be in a profession, whose cultivation is so intimately connected with the welfare and happiness of society. At every step of his professional career, the student is impeded by regulations and restrictions, as discouraging to himself, as they are injurious to the advancement of medical science.

If he avail himself of the most extensive course of education in Scotland, and take the degree of M.D. he will still find himself considered unqualified to practise as a physician, or even as an apothecary in England.

Should he be a physician or surgeon in England, and considered competent to prescribe medicines, he is prevented from mixing them, under pain of prosecution, by the Society of Apothecaries; or if he be a Scotch or English surgeon, he is restricted from holding any public appointment in Ireland, the members of the

Dublin College of Surgeons being alone admitted to this distinction. I give these merely as a few illustrations of the restrictions imposed upon the prosecution of medical science.

The safety of the public requires, that those entrusted with the health and lives of the community, should give the most ample proofs of their competency; yet it will be my duty, however painful, to show that, with few exceptions, this object has been but partially attained, if not wholly defeated, by a perverse spirit of monopoly, which has ever viewed the cultivation of medical science, as of secondary importance to the pecuniary aggrandizement of the few, connected with the several medical institutions existing in the United Kingdom.

The government of the profession is so subdivided by the number of medical corporations, that it will be necessary to refer to them separately.

I shall therefore make some observations upon each, as they severally exist in the three kingdoms.

ENGLAND.

THE COLLEGE OF PHYSICIANS OF LONDON,

From being the earliest chartered medical corporation, and from being the most prominent in the vices which distinguish our medical bodies, claims our first attention.

The physicians were first recognized by Henry VIII. who in 1518, constituted six physicians into a college, with power to admit all men of the same faculty, as well as to exercise the privilege of making bye-laws.

The jurisdiction of the college was to be confined to London and seven miles around. It is needless to say that all the members of the college at this time equally participated in its privileges and immunities.

The power of making bye-laws was, at a very early period, made available to the designs of a few individuals, whose interests were intimately associated with the limitation of the number of practising physicians.

The same disposition has ever since distinguished the proceedings of this body, even to the present day.

Unable to satisfy the demands of the public, by that limitation of their numbers which they had adopted, the fellows had recourse to the scheme of granting licences to physicians, who should not be permitted to enter the corporation, or enjoy any of its privileges: hence the distinction in the college between FELLOWS and LICENTIATES.

This distinction is not warranted by any difference in the extent of professional acquirements, but determined solely by a consideration of the university in which the candidate for admission into the college shall have obtained his degree; none but the graduates of Oxford and Cambridge, and the fellows of Trinity College, Dublin, who have graduated *ad eundum* at the English Universities, being admissible by right into the fellowship. The fellows alone have a voice in the management of the affairs of the college, they alone can claim admission to the library and museum, or even within the walls of the college.

The class of licentiates, which is by far the most numerous, has been engaged in constant litigation with the fellows, as to the bye-laws by which the latter have obtained their monopoly.

The petition of the licentiates to the legislature, during the last and present session of

parliament, has set forth a variety of grievances, which it would well have become the fellows to have considered with a view to their removal ; but their proceedings in reference to these allegations, only add another to the numerous instances of the tenacity with which monopolists resist to the utmost, every project of amelioration.

A reference to the petition will show, that the licentiates seek no exclusive advantage for themselves, while the respectability of the names attached to it, is a sufficient proof that the complaints are neither frivolous nor imaginary.

The English universities being closed against all persons who do not profess the faith of the established church, no Dissenter can attain the fellowship ; and the circumstances which occurred recently at Cambridge, relative to the admission of Dissenters to take degrees in medicine, is an evidence of the little chance which they have of attaining this object in the present state of things.

It is a fact of notoriety, that the universities of Oxford and Cambridge, are in no way adapted to the purposes of medical education. That there are professorships established in some branches of medicine is not to be denied ; but that the professors enjoy their appointments mostly as sinecures, is equally true ; and it would be curious to inquire, how often

they deliver lectures upon the subjects which they profess. To add to this, there are no hospitals which can furnish the means of adequate practical instruction. The education here being mostly of a literary character, the students who are desirous of obtaining a proper knowledge of medicine, are compelled to resort to other universities, the graduates of which are excluded from the fellowship of the London College; or to other schools, where the education obtained would not qualify a student for admission to the college even as a licentiate.

It has been alleged by some of the fellows, that their literary education is very superior, while their term of probation is so prolonged, as to enable the student to prosecute his medical studies elsewhere; but the acknowledged acquirements of many licentiates are so distinguished, that had the fellows been desirous to inquire into them, they would have found little reason to plume themselves on their superiority. At all events the licentiates have no opportunity afforded them, of proving their literary acquirements.

Admitting the education of physicians, and the administration of the college to be unexceptionable, the great mass of the community is excluded from its protection, by the fact of its jurisdiction being limited to London, and a circuit

of seven miles ; and no person will be hardy enough to assert that the value of human life is less, because it is not included within this boundary.

More consideration has been paid to this body, than either its numbers or public usefulness demand ; but the foregoing exposures have been rendered necessary in order to meet that assumption of superiority, which has enabled the fellows so far to controul the confidence of the higher orders of the state, as scarcely to admit a hope of success, to those who have courage enough to become their rivals.

This corporation, which has never been exceeded by any other monopoly in the extent of its tyranny, has had influence enough to make almost all the public institutions subservient to the emolument of its fellows.

The manner in which the appointments to public hospitals, board of health, vaccine board, lunacy commissioners' board, army medical board, &c. &c., have been filled up, fully corroborate this charge.

THE ROYAL COLLEGE OF SURGEONS.

The duties of the surgeon were formerly delegated to the barbers, and it was not till 1745 that the surgeons were erected into a distinct corporation of the city of London, by the 18th Geo. II. Their duties, strictly considered, are confined to the treatment of wounds and other external ailments; yet, with very few exceptions, they have likewise practised medicine, pharmacy, midwifery, &c., under the denomination of “GENERAL PRACTITIONERS.”

In 1797 the Corporation of Surgeons removed from the city to Lincoln's Inn Fields, and under some plea that their former charter was inoperative, an act was introduced into the House of Commons, with a view to erecting it into a royal college, with power to license surgeons, and prohibit all persons from practising as such, without its licence, in London, and a distance of ten miles; the examination and licence was intended to comprise all the branches of medical practice, including pharmacy and midwifery.

The act was even intended to confer on the college the right of inspecting the medicine chests of surgeons going to sea; and yet a clause was introduced into it, to exclude all sur-

geons, who practised pharmacy or midwifery, from the council, and other offices of the college. This absurd provision, which was intended to throw a monopoly into the hands of the very few who confine themselves entirely to the practice of surgery, (commonly called “pure surgeons”) so disgusted the great mass of general practitioners, that they resolutely opposed the bill, and with such success, that although it had reached the third reading in the House of Lords, it was thrown out July 17th, 1797.

The profession is indebted to Lord Thurlow for his exertions on this occasion. The report of his speech is worthy of perusal, and contains the following severe reproof:—“On what ground of reasonable justice, also, was it, that the bill gave to the small number of members of the college mentioned in it, (with the election of others to be chosen by themselves,) sovereign right of the super-
 visal, controul, regulation and management, of all the concerns of the company, and power to alienate its property, funds, cash,^r &c., without any check whatever, to guard against the abuses to which the possession of such immense uncontrolled power, held out temptations almost too strong for the fallibility of human nature to resist?”

* * *

His lordship repeated, “that upon a full consideration of the bill, it was so wretched a per-

formance, so contradictory to its principle (or at least what it avowed to be its principle) in its clauses, the provisions of it so little accorded with the preamble, and in short, the whole of the bill was such a jumble of absurdities, that he could only consider it a farce, a downright farce, not fit to go forth to the world as a performance sanctioned and approved by so grave an assembly, as that which he was now addressing."

Instead of amending the Bill, as advised by Lord Thurlow, and again requesting the sanction of parliament, the college moved no further in the prosecution of the matter till the year 1800, when it obtained a charter from the king in council: and at the present moment, the very enactments of the bill, which were so obnoxious to the general body of surgeons, and which gave rise to its rejection in the House of Lords, are included in the bye-laws of the college, and in full operation.

The members of the council, twenty-one in number, have entire controul over the property of the college, are irresponsible and self-elected, care being taken to exclude all from the offices of the college, whose hands are defiled by the practice of pharmacy or midwifery.

They require from all candidates for their diploma, certificates of having attended lectures on medicine, chemistry, pharmacy, botany, mid-

wifery, &c. ; but the examination is entirely confined to anatomy and surgery.

As this body has no parliamentary enactment for the protection of any privileges, or to prosecute any persons practising surgery without its diploma, the granting of it is a matter of indifference to the candidate ; and inasmuch as it can confer no benefit in a legal point of view, it is a distinction of which many practitioners do not avail themselves. The college being supported by the fees paid for diplomas, cannot therefore afford to reject many candidates, and hence it is that the examination is so lax and superficial.

The members of the court of examiners are almost without exception, teachers or hospital surgeons ; as such they frame regulations as to the course of study to be pursued by the candidates, and are called upon to examine, not only their own pupils, but also those of their rival teachers.

In exercising the threefold functions of law-givers, teachers and examiners, need we be surprised, that the regulations issued by them from time to time, should be distinguished for their partial operation in favour of their framers ?

The spirit in which these regulations have been conceived, will not escape the notice of the committee, and fortunate would it have been for

the council, if some of its bye-laws had been framed with a tendency, less directly hostile to those who oppose them as private lecturers or teachers, and whose students are soon made to discover the disadvantages under which they labour.

The splendid museum, the temple of the genius of John Hunter, was purchased by government, and presented to the college, no doubt with a view to benefit all the members of the profession; but the council, as if it were a private gift to itself, allowed it to remain in obscurity for many years, and even at the present moment admission is confined to the members of the college, while graduates of the Scotch and Irish universities, as well as licentiates of the apothecaries' company, and students, are wholly excluded.

The title of "pure surgeon," which the members of the council arrogate to themselves, implies that their practice is confined *purely* to surgery as a manual art, yet it is not a little remarkable that few, if *any one* of them, apply themselves to this department alone.

It will be seen how jealous they are of their present power, when they exact an oath from all persons receiving their diploma, that they will not only submit to the present bye-laws, but also to those, which the council may enact in future;

although the members have no voice in their formation, or any knowledge of their existence till they are put in force.

Possessed of no authority to compel any person practising surgery to prove his competency before them, irresponsible to the members, and actuated by the sole desire of promoting their own interests, it is needless to inquire what confidence can be reposed in a body so constituted.

THE APOTHECARIES' COMPANY

From being originally an insignificant body, now exercises the only legal controul, over the general practitioners of England and Wales.

In 1617 the apothecaries were separated from the Company of Grocers, and erected into a distinct corporation of the city of London. At this time, their duties were only those of the chemist and druggist of the present day ; but they gradually extended them, first by performing the minor operations of bleeding, cupping, &c., generally under the superintendence of the physicians, till, about the commencement of the eighteenth century, they had so far encroached, as to prescribe, as well as dispense medicines : and this they did, greatly to the annoyance of

the physicians, who made several fruitless attempts to prevent them.

In 1722 the Corporation was authorised by an act of parliament to inspect all drug-shops in the city of London, and to destroy all medicines unfit for use.

This act expired in 1729, and in 1748 it obtained another, empowering the corporation to license apothecaries to sell medicines in London, and seven miles around, and to prevent all others from doing so illegally. This act operated with peculiar severity upon the chemists and druggists, who, in imitation of the apothecaries themselves, had begun to prescribe as well as to sell medicines without a licence.

At this time the apothecary was the usual attendant of the poor, and middle classes of people; but as the Society of Apothecaries possessed no power of any kind, beyond the seventh mile-stone, any person could open a drug-shop, and prescribe likewise, beyond this boundary.

Some country practitioners, however, did procure the licence of the Society, as a title of distinction, and at, and long prior to this period, it was not uncommon for the bishop of the diocese to license apothecaries.

In the year 1812 the general practitioners formed themselves into an association, under the designation of “ THE ASSOCIATED APOTHECARIES

AND SURGEONS," and applied to parliament for a new act to regulate their practice. This application was met by the act of 1815, conferring upon the Society of Apothecaries, the power of licensing all apothecaries throughout England and Wales.

This act forms a most important era in the history of medicine ; since it gave to the Society the sole power of licensing practitioners of medicine, throughout England and Wales, with the exception of the College of Physicians, whose authority, confined to London and a circuit of seven miles, is exceedingly limited. Moreover, the number of physicians is so inconsiderable, as to make them but a very small portion of the mass of practitioners even within these limits.

By a reference to the courses of education required, from time to time, from candidates for license, by the court of examiners of the Society, from 1815 to the present time, it will be seen how very inefficient the courses of study at first were, and how they have progressively improved up to this period, while the character of the examination may, in some measure be estimated, by the return made in the last session of parliament, which shows that of 6277 candidates examined since 1815 to 1831, inclusive, 680 had been rejected for incompetency, and that the strictness of the examination has increased in

the latter years, may be seen by the fact, that of 3,788, examined since 1825, 551 were rejected.

These numbers are singularly contrasted with those of the College of Surgeons, who of 3,902 students examined since 1823, only rejected 287.

The members of the court of examiners are in no way connected with the business of teaching, and although they are remunerated by the fees paid for licences, yet they are not pecuniarily interested in the passing of candidates, since no person can practise without their licence: and if a candidate be rejected, the payment of the fee is only deferred till such time as he can prove himself qualified to receive his licence.

It must be admitted by all impartial persons, that the Society of Apothecaries has done much to improve the profession, and that it is the only corporation which can be said to have performed its duty.

But there have been causes of complaint against them, and there are most gross imperfections in the act with which they have been intrusted, which cannot escape notice.

The Society is empowered by the act of 1815 to prosecute all persons practising as apothecaries without its licence, and it has exercised this power with a most ungenerous prejudice against the licentiates of Scotland and Ireland, be they surgeons, or physicians, and however

extensive their acknowledged attainments may have been.

It is true, it will permit them to practise, on producing the required testimonials, submitting to examination, and paying for its licence ; but the instances of rejection have not been unfrequent, and not a few of them have given rise to a suspicion of unfairness, not to mention the evident absurdity of declaring a person unqualified to practise in one part of the kingdom, who has received a licence to do so in another.

It was with the view of putting an end to these prosecutions against the licentiates of the other two kingdoms, that the apothecaries' amendment bill was introduced in the last session of parliament. It is to be regretted that while the Society has so actively prosecuted Irish and Scotch licentiates, it should have, in no one instance, sought to arrest the open chicanery and extortion of the empiric, for which the power of prosecution was undoubtedly given.

That clause of the act which enjoins on the candidate, an apprenticeship of five years to an apothecary, is any thing but beneficial. These five years are usually spent in the common drudgery of a shop, and performing the ordinary manipulations of mixing medicines, without affording any intellectual advantage whatever.

A knowledge of the art of dispensing medi-

cines is of the highest importance; but it might be acquired by an individual of even moderate capacity, in six months, and it is truly painful to contemplate the waste of so much valuable time, which might be occupied in pursuits of the most important nature.

The manner, also, in which the apothecary is remunerated for his services is exceedingly odious, the value of the medicines delivered, being the only charge admitted in the present state of the law; and this has given rise to the system of drenching the sick with medicine, in a variety of useless forms, for the purpose of increasing the amount of remuneration. Until some enactment be made to enable the general practitioner to claim compensation for his advice, this wretched system will continue to be a disgrace to the profession, and a torment to the public.*

The act may be so exercised, as to insure the proper practice of all branches of medicine, surgery and midwifery excepted. The Society cannot examine in surgery, or demand certificates of surgical attainments from candidates:

* The decision of Lord Tenterden in the case of *Handey v. Henson*, would seem to admit, that the apothecary can charge for visits, but it has not been received with any confidence by the profession; and it is remarkable that the Society cannot prosecute an unlicensed practitioner unless there be proof that he has made a charge for medicine.

it does examine in midwifery, but it cannot interfere with an unlicensed practitioner, who confines himself exclusively to these departments; hence these two important branches of the profession are left entirely without protection.

Let me now make some observations on the privileges which the Society of Apothecaries possesses, in dispensing the law.

The act of 1815 was granted to a company of traders in drugs, in the city of London. The individuals who receive its licence are called LICENTIATES, while the persons belonging to the company itself, are designated MEMBERS.

The members alone are admissible to the court of assistants, court of examiners, &c. Their number is about 500, while the entire number of apothecaries in England and Wales, is not far short of 10,000.

Nor does the distinction depend on the superior qualifications of members; but upon the mere ordinary laws of admission into a trading company, viz. patrimony, a seven years' servitude, or purchase.

In all communities of a scientific character, the highest offices should be open to professional merit, and circumstances such as those above mentioned, should not be permitted to operate against the licentiates, who are in every way as well qualified to hold the offices of distinction

as the members. The defects enumerated are, I think, evident, but they must not prevent us from bestowing praise upon the Society, for the good it has done.

The Chemists and Druggists next claim our attention.

Their functions are understood to be *limited* to the preparation and sale of drugs, but we find complaints against their encroachments upon the practice of medicine, as far back as 1683. The act conferred on the apothecaries in 1748, materially abridged their practice, and greatly reduced their numbers, but on the passing of the act of 1815, they made such strong representations to parliament, that a clause was introduced exempting them from its operation. The consequence has been, that they have increased to a most extraordinary extent; and not content with dispensing medicine, they are in the constant custom of administering it, and even performing the minor operations of surgery, having, in fact, assumed the original position of the apothecary.

But while this latter practice should be prohibited, it is of the highest importance, that the public should have some assurance that the individuals who mix and compound medicines are fully qualified to do so : yet there is at present no law to prevent the most ignorant individual from becoming a chemist and druggist.

The practice adopted on the continent, of licensing individuals to practise pharmacy, on proof of proper qualifications, has produced the most beneficial results to the public, as well as to this class of the community itself, by affording it a higher degree of respectability, while the honour which such names as Orfila, Robiquet, Pelletier and Caventou, (who were originally “pharmaciens,”) have reflected upon their country, need not be urged.

SCOTLAND.

THE ROYAL COLLEGE OF PHYSICIANS, OF EDINBURGH,

Is empowered, by charter, to fine all persons practising as physicians in Edinburgh without its licence, but its powers do not extend beyond the metropolis.

It consists of fellows and licentiates, who prior to their admission must have obtained the degree of doctor of medicine. No examination is imposed, except in cases where the candidate has a foreign degree, and then it is not imperative.

The licentiates have only to pay a fee for licence, while the fellows are elected by ballot,

three fourths of the votes being necessary to ensure admission.

This corporation is of a very useless character, and the system of election has afforded a cloak to the exercise of party feeling in more instances than one; at all events, it is unknown as a promoter of medical science.

THE UNIVERSITIES OF EDINBURGH, GLASGOW, ABERDEEN, AND ST. ANDREWS,

Possess equally the power of conferring the degree of doctor of medicine, but the qualifications required to obtain it, are of a character and extent, varying at each.

Although the professors of a university have no power either to establish a chair, or to fill up a vacancy, yet in other respects they are open to the same objections which were pointed out, in speaking of the council of the College of Surgeons of London, inasmuch as they not only prescribe the nature and duration of the courses of education required from candidates for the university degree, but are likewise the teachers and examiners.

The income of the professors, being dependent upon the number of students attending their classes, as well as on the number of candidates to

whom they grant the college degree, any effort to liberalize these institutions, by removing the barriers opposed to the exertions of private teachers, is cramped by the overwhelming desire of pecuniary emolument.

Hence it is, that in the university of Edinburgh, the most celebrated of the Scotch seminaries, no person, however qualified by testimonials of having attended lectures elsewhere, or distinguished for his actual attainments, can be admitted to examination for the degree, until he has paid the fees, and attended the lectures of the university professors, during the specified time.

The university of Glasgow has of late exhibited a disposition, which superficial observers might mistake for liberality, in only requiring one year's residence and attendance at the university, from those who are provided with the certificates of private teachers in London and Dublin, but little discrimination is wanted to perceive, that in this concession, the professors have been actuated by any thing but a motive of liberality. We should strongly suspect, that the desire of securing fees for degrees, which otherwise would never reach them, has been the grand object in view, since they refuse to acknowledge the certificates of private teachers in Edinburgh and Glasgow—probably from an apprehension that the Scotch students would resort to the

schools of private teachers, in preference to the university.

The universities of Aberdeen admit the certificates of private teachers, and confer their degree after satisfactory examinations; but it is not long since it was purchaseable by any person who could forward the required testimonials.

The university of St. Andrews exercises the power of conferring the degree of M.D. although there is but one medical professor in that establishment. The candidates are required to produce certain testimonials, and to submit to an examination from the professors. The character of this examination must be superficial indeed, when there is but one professor competent to ask any questions relating to medicine.

It must however be remarked, that since the appointment of the commission to inquire in the Scotch universities, this degree has been less frequently obtained than formerly.

A circumstance connected with this university, and which has given rise to much discussion, is too interesting to be neglected here.

The professors of the university of Edinburgh, by not receiving the certificates of private teachers, as qualifications for their degree, have thus been enabled to command a larger class; but within these few months, an association of private teachers has been formed in that city,

which has succeeded in persuading the professors of the university of St. Andrews, to appoint five of the Edinburgh *private teachers* to form a board, to examine candidates for the St. Andrews' degree.

This has given rise to a violent altercation between the private teachers, and the professors in Edinburgh; and while the former take to themselves the credit of repudiating the close system, by admitting the certificates of all teachers as qualifications for the degree, the latter are no less clamorous in accusing the examining board of St. Andrews of depreciating the standard of qualification, by admitting testimonials of a less efficient character.

It is too plain that money has been the main ground of contention, and it would seem as if this collision had occurred most opportunely, when a committee was about to inquire into the evils attendant upon the present system of medical legislation. It would naturally be expected that at those universities in which the sources of education are limited, some attempt would be made to compensate for the deficiency, by increasing the duration of study, or the severity of examination; yet we discover the reverse to be the case. For the only means which the professors have of entering into competition with their more eminent rivals in the

sale of degrees, is by affording facilities to those students, who from poverty, want of time, or indolence, are desirous of being made doctors by the easiest process, with the least expense, and the smallest chance of rejection ; and thus it is, that the difficulty of procuring a degree is lessened, according to the insignificance of the university which has the power to confer it.

The graduates in physic are very numerous in Scotland, compared with England, and while they are required to give evidence of attainments in all branches of the profession, they mostly practise as general practitioners, few if any of them confining themselves to that exclusive practice of physic, which the London College of Physicians would attempt to define.

SURGEONS.

There are two chartered corporations in Scotland, authorized to examine and license surgeons, as well as to prohibit all unqualified persons from practising as such ; viz. the *College of Surgeons of Edinburgh*, and the *Faculty of Physicians and Surgeons of Glasgow* ; and the jurisdiction of each of these bodies is limited to certain counties of that kingdom.

THE ROYAL COLLEGE OF SURGEONS OF EDINBURGH

Was incorporated by James IV. in 1506 : powers are confined to the sheriffdoms of the three Lothians, Fife, Peebles, Selkirk, Roxburgh, and Berwick. The members of this college consist of licentiates and fellows; the latter alone possess any power in the college, and are elected to the fellowship, on evidence of superior attainments, and on submitting to a second course of examinations. The members of the examining board are not employed in teaching, and the certificates of professors and private teachers, are equally acknowledged by them.

Although this body can prevent all persons from practising surgery or pharmacy, within its district, who have not been examined and licensed by it, (not even excepting the licentiates of the Glasgow faculty,) yet it is highly honourable to its members, that they have never exercised this unjust prerogative, against the physicians or the licentiates of their own or any other country.

So little is the distinction existing between the physician and surgeon in Scotland, that their courses of education are almost identical, and it

is exceedingly common for the graduates in physic to take out the diploma of the College of Surgeons.

The committee will no doubt feel much satisfaction, in inquiring into the management of this college, both as respects the licensing of surgeons, and the disposal of the funds derived therefrom.

THE FACULTY OF PHYSICIANS AND SURGEONS OF GLASGOW

Derives its existence from a charter of James VI., in 1599, directing the establishment of a board of physicians and surgeons in Glasgow, to examine and license all persons desiring to practise surgery, in the burgh and barony of Glasgow, Renfrew and Dumbarton, and the sheriffdoms of Clydesdale, Renfrew, Lanark, Kyle, Carrick, Ayr and Cunninghame.

The power of the faculty to exercise this sole privilege, and to prevent all persons from practising as surgeons within its jurisdiction, who did not possess its licence, remained undisputed till 1816, when the university of Glasgow first

assumed the power of confirming the degree of chirurgiæ magister.

It is maintained, on the part of the university, that the degree of master of surgery is equivalent to the licence of the faculty, while on the other hand this is not only denied, but the power of the university to grant such a degree, called in question.

The university founds its right upon the charter of Pope Nicholas, conferred upon it in 1450, in the reign of James II. which authorises the teaching and confirming of honours, in theology, law, arts, or *any other lawful study* ; (et quâvis aliâ licitâ facultate ;) and it is argued that the charter granted by James VI. in 1577, is only a confirmation of that previously bestowed by Pope Nicholas.

The faculty asserts, that the clause cited is not applicable to surgery, and that the charter of James VI. nullifies the former one.

The dispute gave rise to a course of violent litigation between the university and the faculty, and the question is at this moment undecided.

Whether the university possess the assumed privilege or not, there are just grounds for belief that it would never have been exercised, had not the professors been instigated by a love of gain, to deprive the faculty of the fees derived from the granting of licences. But admitting

their claim to the exercise of this power, they possess no authority to prevent an unlicensed person from practising.

The circumstance of the Glasgow Faculty being composed of physicians and surgeons, argues powerfully against those who would erect the surgeons into a distinct body, unconnected with the physicians.

I R E L A N D.

THE KING'S AND QUEEN'S COLLEGE OF PHYSICIANS OF DUBLIN,

Has the power to prevent all persons from practising as physicians in Dublin, and a circumference of seven miles, but beyond this distance its authority ceases.

The graduates of Oxford, Cambridge, and Trinity College, Dublin, are alone admissible to the fellowship, while the graduates of other universities are admitted only on the footing of licentiates. In fact, the college exhibits a pretty correct caricature of its sister establishment in London.

In Trinity College, the professors constitute

the board of examiners, and confer the degrees of bachelor, and doctor of medicine.

With the exception of certificates that the candidate has attended courses of lectures on some three subjects in the university of Edinburgh, no testimonials are acknowledged, unless obtained from Trinity College. The physicians of Ireland, like those of England, are liable to prosecution by the Apothecaries' Company, if they presume to practise pharmacy.

THE ROYAL COLLEGE OF SURGEONS OF DUBLIN.

The bye-laws of this college prescribe a very efficient course of study and examination, which embrace all subjects connected with the practice of medicine and surgery.

The certificates of private teachers are acknowledged by the examiners.

A distinct diploma is allotted by the college to those individuals desiring to practise midwifery.

Since the surgeons confine themselves as closely as possible to their own department, they are not numerous: and in fact the regulations

adopted by the college render it impossible that more than twenty-six individuals can receive the diploma annually.

The members of this college alone enjoy the privilege of being appointed surgeons to the county hospitals in Ireland. This exclusiveness operates with much injustice upon the licentiates of the other surgical corporations in the empire.

THE APOTHECARIES' COMPANY.

The bill passed in the 31st of Geo. III., entitled, "An act for regulating the practice of an apothecary, throughout the kingdom of Ireland," is the foundation upon which the Apothecaries' Hall of Dublin stands.

The duties of the Irish apothecary are understood to be confined to the practice of pharmacy, and the company of apothecaries is empowered to license such practitioners, as well as to prevent all persons from practising pharmacy, unless they take out its licence; and this power operates upon the physician, the surgeon, and the most ignorant pretender, with equal severity.

The regulations of the company for the admission of apprentices, impose an examination in Latin and Greek, upon the pupil, prior to ap-

prenticeship : and those which came into operation on the 1st of January, 1829, for the admission of candidates for licence to practice, required, in addition to the indenture, certificates of having attended one course of lectures on materia medica and pharmaceutic chemistry, and another on medical botany ; but on the 11th of February, 1831, the directors gave notice that after the 1st of May, 1832, they should require certificates of attendance on one course of lectures on each of the following subjects, viz. chemistry, materia medica, botany, anatomy and physiology, and practice of medicine.

Thus this company has been endeavouring to arm its licentiates with powers similar to those possessed by the English apothecaries.

But while the directors have been labouring to effect this, the temptation of the fee of twenty pounds for the licence has been such, that they have not scrupled to grant them to chemists and vendors of drugs, not qualified even by apprenticeship. By these and other means, the managers of the company have so raised the value of their stock, that one hundred pound shares now sell for two hundred and fifty pounds, or more.

Having now reviewed the various institutions connected with the education and practice of the

members of the medical profession, the necessity for some change will not only be admitted, but our wonder excited, that such a mass of discordance and inconsistency, could so long elude the animadversion of an enlightened age.

If the practice of the healing art be indispensable to the happiness of society, it becomes both proper and necessary, that its cultivation should not only be encouraged, but such proofs of proficiency required from its practitioners as shall prevent its malpractice, and ensure the most beneficial results, while the administration of the laws should be such, as to give full scope to the exertions of merit, unfettered by the selfish views of any predominant party.

Nor is it less desirable that in a community governed by the same laws, and enjoying the same political rights and privileges, an equal degree of uniformity should characterise the measures adopted to preserve the public health.

Yet, in the present anomalous state of medical legislation, we find not less than sixteen corporate bodies, presiding over various departments of the profession, and dispensing the law over certain districts, and within certain limitations, with all the jealousy of contending factions: each prescribing courses of education and examination of a different duration and character, and varying in efficiency, according to the interests or

caprice, of an exclusive and irresponsible prerogative.

That which mostly excites our amazement in this incomprehensible confusion is, that in the variety of legislation, some of the most important branches of medical practice are entirely without protection.

Beyond the circuit described by the seventh milestone around London, what enactment is there to prevent the most reckless pretender from practising as a physician? or what controul is there over the practice of surgery in any part of England? And if surprise be excited, that there should be no law to insure the proper practice of midwifery, it is still more astonishing to learn, that such is the antipathy of the London College of Physicians to the obstetric art, that an oath is required from all persons admitted into the fellowship, that they have not practised midwifery, and that they will not engage in its practice.

We should think that if a physician be competent to prescribe remedies, it would not derogate from his public usefulness, if he should think fit, to prepare them. Yet none of the fellows of the London College are permitted to practise pharmacy, and to such a pitch has this objection been carried, that some instances will come under the notice of the committee, in which individuals who had gone through the prescribed curriculum at one of the English uni-

versities, were refused admittance to the fellowship, on the ground that *they had* previously practised as apothecaries !

Since the Society of Apothecaries will not permit a physician to practise pharmacy, it may be reasonably demanded what there is in the condition of the physician, which should debar him from mixing the medicines he is qualified to prescribe ; and as the College of Physicians possess a power to prevent apothecaries from writing a prescription, it may be asked in what particular the education of the apothecary is so inferior, as to render him incompetent to enumerate upon paper a list of those medicines, which he is not only authorised to prepare, but to prescribe. .

If these distinctions alone constitute the difference between the practise of the modern apothecary and the physician, why should they any longer be attached to separate bodies ? Why should they not rather be united, and an uniform and sufficient course of study and examination required from both ?

The same remarks are, to a certain extent, applicable to the surgeon, who, however qualified to practise surgery, dare not supply medicines to his patients, without the licence of the Apothecaries' Company.

The argument now entirely rests between the

physician and the surgeon, and upon the possibility of determining the diseases which may be separately allotted to the care of each.

A case may present all the appearances of typhus fever, and after a physician has attended for some time, it may be discovered, that the fever is only symptomatic of some extensive abscess, which should have required the attendance of the surgeon.

It would be useless to cite any more cases to prove, what pathology has long since convinced every rational mind, that the distinction between medicine and surgery is imaginary and indefinable.

Most of the cases which come under the care of the surgeon, require to be treated through the agency of internal remedies, in which case he acts as a physician, and the variety of instances in which diseases require the assistance of surgery, are too evident to require any prolonged argument.

Nor does the practice of the most eminent surgeons and physicians, warrant the distinction which has been attempted; inasmuch as we constantly witness cases of exact similarity treated by both.

If it be impossible to draw a line of demarcation between the practice of physic and surgery, it may naturally be asked how they came to be divided, and whether it was from a conviction of

utility, or a persuasion of their separability, that they came to be prosecuted by two distinct classes of individuals ?

The practice of medicine in Europe, during the middle ages, was entirely confined to the cloisters of the ecclesiastics, who found in it a source of considerable revenue and influence.

The eighth canon of the Council of Tours, forbade the interference of the monks in the practice of bleeding, dressing wounds, attending contagious diseases, &c. But although they were deterred from engaging in such duties, they still retained the emoluments derived from such practice, by delegating their barbers to perform these offices under their superintendence. Hence the origin of the barber surgeons, and the reason why all the surgeons throughout Europe, were originally incorporated with the barbers.

The connexion between the ecclesiastical function, and those of physic and surgery, may be seen in an act passed in the 3rd year of the reign of Henry VIII., enacting that physicians and surgeons should be examined and licensed to practise, by the bishop of the diocese.

The power of the church to confer a medical degree is exercised even in the present day,—let us trust that it will not longer be permitted.*

* If any thing can better illustrate the absurdity of the present condition of the profession, it is the fact, that a physician

The subserviency of the surgeons is seen, by the fact of the Faculty of Glasgow, established by James VI. being composed partly of physicians, who should determine on the qualifications of surgeons ; but the latter class of practitioners have in course of time not only thrown off all dependence upon their former masters, but have become competitors for an equal share of public confidence.

It thus appears that the origin of the surgeons was merely the result of expediency, and that in uniting the communities of physic and surgery, we only revert to the condition in which the profession of physic at first existed.

The practice of midwifery was at first exclusively confined to females ; but it has become a study of so much importance, as fully to warrant its being classed among the duties of the medical practitioner : and as it is at present practised by physicians, surgeons, and apothecaries, it ought to be included with them in the one body.

and a baronet, one of the greatest ornaments and promoters of medical science, having practised as an accoucheur, was obliged to resort to the archbishop's degree of M.D., in order to avoid the necessity of resuming his studies at some university : and this, forsooth, because the fellows of the College of Physicians could not meet him in the capacity of a consulting practitioner, on a medical case !

There are, however, some members of the profession, who, though anxious to see the abuses removed from the present corporations, are still desirous of maintaining their existence.

Presuming the adoption of a legislative enactment, which, while it took cognizance of the practice of medicine in all its departments, would abolish the close system of existing corporations, define the powers of each, and so far reconcile their conflicting interests, as to permit the licentiates of a corporation in one part of a kingdom, to practise the same department in another, what assurance would we have of their impartiality, or that some of them would not again regulate their qualifications and their examinations for licence, with the single object of attracting the greatest number of applicants?

To which of the three existing corporations in London, could we allot the practice of midwifery in particular, when we find the two colleges refusing any connexion with it, and while the licentiates of all the three bodies are engaged in its practice?

If the physician of England could not practise surgery, midwifery, or pharmacy, nor the surgeon midwifery or pharmacy, nor the apothecary surgery, none of them would be eligible to the Scotch corporations.

It has been said that there is no occasion for

more than two bodies in England, the physicians and surgeons ; but it would be an act of the most flagrant injustice to build up these colleges which have done nothing to merit it, at the expense of the apothecaries, who constitute the only class who have advanced the practice of medicine in England. Moreover, by what law would we distinguish the practice of the physician from that of the surgeon ? It would be impossible to frame any law to define that, which practice declares to be indefinable.

In Scotland, the education of the physician and the surgeon is nearly alike, and if any difference does exist in practice, it arises solely from the choice of the individual ; what need is there, therefore, of two distinct classes of practitioners, when there is no dissimilarity in practice ?

If then I have succeeded in proving the impossibility of enacting any law, which can determine precise limitations to the practice of any branch of the profession, or serve as a guide to direct a sick person to which class of practitioners he shall apply for relief, it is impossible for any unbiassed judgment to deny the propriety of abolishing the existing corporations, and reconciling the conflicting interests of their members, by embodying them in ONE NATIONAL FACULTY OR COLLEGE. AN

institution of this nature, can alone prevent that conflict, which has been so long maintained, at the expense of the true interests of the profession, and is the only means by which the incongruities which at present attach to medical legislation can be remedied.

The individuals chosen by the concurrence of such a body, to constitute the council or senate, could not fail to be the most distinguished ornaments of the profession, and would be the best qualified to deliberate upon the measures best adapted to ensure an uniform and extended course of education, for those destined to practise throughout the empire.

Thus while proofs of the highest degree of proficiency to practise all branches of the profession, should be required from those individuals admitted into it, there would be nothing to prevent a member from applying more particularly to a particular department, should he desire it.

The circumstance of certain men devoting their talents to one favourite subject, such as surgery, physic, midwifery, diseases of the eye, ear, head, chest, abdomen, &c. will serve to extend our knowledge of disease, and will always be of advantage to the community, who will not fail to appreciate their labours; but affords no reason why they should be ignorant of

the other departments of medicine, or why it should be converted unto a plea for the erection of as many distinct corporations.

The practice of the chemists and druggists should be placed under such wholesome regulations as the faculty may deem proper ; by raising the standard of qualification, and ensuring the knowledge requisite for the due discharge of their duties, the respectability of this class of individuals will be secured, and the best guarantee afforded to the public, of a discontinuance of the present system of fraud and adulteration of drugs.

It would be presumption in me to offer any opinion, as to the precise regulations under which such a FACULTY should be constituted ; it is only from the testimony of the many distinguished and independent men, who will be called upon to express their unbiassed sentiments before your committee, that any proper plan can be deduced.

May I be permitted to express a hope that, in the event of all qualified members of the healing art being united into one family, having one common bond of union, they may be allowed to exercise their judgment, in selecting the persons best qualified to fulfil the duties of framing regulations for the general government of the profession ?

The circumstance of it having been proposed *by certain parties*, to bestow the power upon a limited number, who should be nominated by the Secretary of State for the Home Department, shows, that those who exercise the present power without controul or responsibility, do not altogether despair of retaining it by some secret influence.

I have said but little as to the improvements which it may be desirable to effect in the education of medical practitioners, because this will be one of the first and most important subjects for the faculty to consider. It is, however, most anxiously to be desired, that those noble institutions of national benevolence, which are at present devoted to the interests of an exclusive party, may no longer be permitted to descend as heir-looms to their connexions, and to the privileged few, who alone are able, at a heavy cost, to purchase the advantages which they afford.

Much discussion has arisen as to the propriety of arresting the practice of empirics.

It is much to be feared, that so long as incurable diseases exist, those afflicted with them, having no other prospect of relief, will confide in the delusive promises of pretenders; but it is the duty of the government to protect those who are duly qualified: and if the diploma of the faculty be any test by which the public may

judge of the character of the practitioner, surely he has a right to demand that no one shall assume his title.

I would not be understood to recommend, that the power of prosecution should be placed in the hands of medical men, since experience has shown, that it may be converted into an engine of oppression, and has tended to make the public, side with the offenders, under an impression that they were the victims of jealousy. If it be necessary to extirpate quackery, let this be the duty of the law officers of the crown.

In conclusion, I beg to apologize for having detailed, at such length, a few only of the grievances which affect the medical profession; but actuated solely by a desire to rescue medical science from its present degradation, and the practice of medical men from the trammels of absurd and vicious privileges, I trust my task, however imperfectly performed, may not be unworthy of your attention.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

A JUNIOR PRACTITIONER.

London, March 10th, 1834.

Postscript.

Much alarm has been excited among the private teachers in London, lest the proposed charter to the University of London should confer the power of granting degrees in medicine. It is yet to be proved that such a privilege has ever been contemplated, and the author, who cannot sufficiently express his admiration of the talents of the professors, and the advantages which he has derived from their instructions, entertains too high an opinion of their independence to believe, that they are desirous either of increasing the number of monopolies, or actuated by a wish to uphold the eminence of their school, by any other means than those by which they have hitherto maintained it.

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